



0001/P Rev. 05-05  <b>TRANSMITTAL FORM</b>  (to be used for all correspondence during pendency of filed application)	U.S. Department of Commerce Patent and Trademark Office	Application Number	10/734,081	
		Filing Date	December 10, 2003	
		First Named Inventor	Simon Sabato	
		Group Art Unit Number	2661	
		Examiner Name	not yet known	
Total Number of Pages in This Submission		5**	Attorney Docket Number	23019-07441

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SIGNATURE OF ATTORNEY OR AGENT		
Signature:	<i>Eileen A. Lehmann</i>	
Attorney/Reg. No.:	Eileen A. Lehmann/Reg. No. 39,272	Dated: 5/6/04

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I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.		
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THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Simon Sabato, Harish Devanagondi, You-Wen Yi and Harish Belur  
APPLICATION NO.: 10/734,081  
FILING DATE: December 10, 2003  
TITLE: System And Method For Queue Management Using Queue Sets  
EXAMINER: not yet known  
GROUP ART UNIT: 2661  
ATTY. DKT. NO.: 23019-07441

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**INFORMATION DISCLOSURE STATEMENT**

**Under 37 CFR §§ 1.56 and 1.97-98**

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-SB/O8A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
    - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
    - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,  
Simon Sabato, et al.

Dated: 5/6/04

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**Complete if Known**

Application No.	10/734,081
Filing Date	December 10, 2003
First Named Inventor	Simon Sabato
Art Unit	<del>2661</del> 2614
Examiner Name	<del>not yet known</del> David Oveissi
Attorney Docket Number	23019-07441

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## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document No. Number - Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
/D.O./		US-6,160,819	12/12/2000	Partridge et al.
/D.O./		US-5,905,725	05/18/1999	Sindhu et al.

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> - Number <sup>3</sup> Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	† <sup>5</sup>

## **OTHER REFERENCES - NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	† <sup>5</sup>
/D.O./		BENNETT, JON C. R., "Packet Reordering is Not Pathological Network Behavior," December 1999, pp 789-798, Vol. 7, No. 6, IEEE/ACM Transactions on Networking	
/D.O./		ADISESHU, HARI, PARULKAR, GURU and VARGHESE, GEORGE, "A Reliable and Scalable Striping Protocol," 11 pages, Department of Computer Science, Washington University, St. Louis, MO, "The referenced paper is to appear in <i>Computer Communication Review</i> , a publication of ACM SIGCOMM, volume 26, number 4, October 1996. ISSN #0146-4833," according to ACM SIGCOMM '96 paper retrieval site, Retrieved from the Internet 1/15/2003 < <a href="http://www.acm.org/sigcomm/sigcomm96/papers/adiseshu.html">http://www.acm.org/sigcomm/sigcomm96/papers/adiseshu.html</a> >, attached	
/D.O./		SHREEDHAR, M., VARGHESE, G., "Efficient Fair Queuing Using Deficit Round Robin", pp. 231 - 242, SIGCOMM '95, Cambridge, MA, U.S.A.	
/D.O./		D. Shah and P. Gupta, "Fast incremental updates on Ternary-CAMs for routing lookups and packet classification," in Proc. of Hot Interconnects-8, Stanford, CA, USA, Aug. 2000.	

23019/07441/DOCS/1422903.1

Examiner Signature	/David Oveissi/	Date Considered	04/22/2009
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.